

Amendments to the Claims

Claims 1, 4-7, and 9-40 were pending at the time the Office Action was issued.

5 Claims 1, 5-7, 9, 10, 14, 18, and 36 have been amended.

Claims 4, 16, and 17 have been cancelled

Claims 1, 5-7, 9-15, 18-40 remain pending

1. (Currently Amended) An apparatus for providing virtual computing services to subscribers on a subscription basis, said apparatus comprising:

a server computer configured operable to:

provide first computing services to a first subscriber of a plurality of subscribers enrolled in a subscription-based services program for the receipt of computing services;

15 provide second computing services to a second subscriber of said plurality of subscribers enrolled in said subscription-based services program for the receipt of computing services; and

output a user interface having one or more user selectable portions to enable subscriber selection of configuration options for respective computing services comprising at least:

selection of a virtual non-volatile storage capacity from at least two virtual non-volatile storage capacity configuration options; [and]

selection of an operating system from at least two operating system options, said server computer configured ~~operable~~ to install the selected operating system to a virtual non-volatile storage having the selected storage capacity to provide respective computing services; [and]

selection of one or more application computer software programs from a plurality of application computer software programs, said server computer is further configured to configure the virtual non-volatile storage with a selected application computer software program selected by said first subscriber; and

selection of whether the server computer is to update the selected operating system and the one or more application computer software program when operating system and application computer software program updates are available; and

enable access to said virtual non-volatile storage via said server computer during a communication session, wherein the server computer is configured to use information identifying a type of subscriber device to determine a user interface to be displayed on the subscriber device and used by the subscriber to access the virtual non-volatile storage;

wherein said server computer comprises a first virtual non-volatile storage associated uniquely with said first subscriber to provide said first computing

services and a second virtual non-volatile storage associated uniquely with said second subscriber to provide said second computing services, said first virtual non-volatile storage being configured according to a first selected virtual non-volatile storage capacity, [and] a first selected operating system, a first selected application computer software program, and a first selected update selection based upon configuration options selected by said first subscriber, and said second virtual non-volatile storage being configured according to a second selected virtual non-volatile storage capacity , [and a second selected operating system, a second selected application computer software program, and a second selected update selection based upon configuration options selected by said second subscriber.

2.-4. (Canceled)

5. (Currently Amended) The apparatus of Claim 1 [4], wherein said selected application computer software program comprises a word processing computer software program.

6. (Currently Amended) The apparatus of Claim 1 [4], wherein said selected application computer software program comprises an electronic mail computer software program.

7. **(Currently Amended)** The apparatus of Claim 1 [4], wherein said selected application computer software program comprises a spreadsheet computer software program.

8. **(Canceled)**

5 9. **(Currently Amended)** The apparatus of Claim 1 [4], wherein said server computer is further operable to configure said second virtual non-volatile storage in accordance with configuration options paid for by said second subscriber.

10 10. **(Currently Amended)** The apparatus of Claim 1 [4], wherein said server computer is further operable to establish a communication session with a subscriber device used by said first subscriber and to execute said selected application computer software program stored in said first virtual non-volatile storage during said communication session.

15 11. **(Previously Presented)** The apparatus of Claim 1, wherein said server computer is further operable to establish a communication session with a subscriber device used by said first subscriber and to interact with said subscriber device during said communication session via another user interface selectable by said first subscriber from a plurality of user interfaces.

12. **(Previously Presented)** The apparatus of Claim 11, wherein said server computer is further operable to receive data identifying a selection of the other user interface by said first subscriber from said plurality of user interfaces, and to cause the display of the other user interface on said subscriber device used by said first subscriber.

13. **(Previously Presented)** The apparatus of Claim 1, wherein said server computer is further operable to establish a communication session with a subscriber device used by said first subscriber and to interact with said subscriber device during said communication session via another user interface, and wherein said server computer is further operable to receive data identifying the other user interface as preferred to be utilized by said subscriber device and to cause the display of the other user interface on said subscriber device.

14. **(Currently Amended)** The apparatus of Claim 1 [4], wherein said server computer is further operable to configure said first virtual non-volatile storage with said selected application computer software program stored therein in accordance with a configuration option selected from the configuration options and paid for by said first subscriber through payment of a subscription fee.

15. **(Previously Presented)** The apparatus of Claim 1, wherein said server computer is further operable to configure said first virtual non-volatile storage to have a storage capacity corresponding to said first selected virtual non-

volatile storage capacity selected by said first subscriber and paid for by said first subscriber through payment of a subscription fee.

16. (Cancelled)

17. (Canceled)

5 **18. (Currently Amended)** A method for providing subscription-based virtual computing services to a subscriber, the method comprising the steps of:

10 enrolling a subscriber in a subscription-based computing services program for the provision of virtual computing services to the subscriber under the subscription-based computing services program through a virtual non-volatile storage allocated uniquely to the subscriber and accessible to the subscriber via a server computer during a communication session between the server computer and a subscriber device used by the subscriber, the virtual computing services corresponding to configuration options selectable by the subscriber;

15 exposing a user interface having a plurality of portions selectable by the subscriber to specify the configuration options for the virtual computing services including a least:

 a portion selectable to specify a storage capacity of the virtual non-volatile storage from at least two storage capacity options;

a portion selectable to specify an operating system from at least two operating system options, said server computer operable to install a selected operating system to the virtual non-volatile storage to provide the virtual computing services; and

5 a portion selectable to specify whether the server computer is to ~~automatically install available updates to~~ update the selected operating system when operating system updates become available;

enabling access to and use of the virtual non-volatile storage ~~as desired by the subscriber~~ via the server computer during a communication session between
10 the server computer and the subscriber device, wherein the server computer is configured to use information identifying a type of subscriber device to determine a user interface to be displayed on the subscriber device and used by the subscriber to access the virtual non-volatile storage; and

charging the subscriber in accordance with selected configuration options
15 received from the subscriber.

19. (Original) The method of Claim 18, wherein the step of enrolling comprises the steps of receiving selected configuration options from the subscriber via the subscriber device, and configuring the virtual non-volatile storage in accordance with the selected configuration options received from the subscriber.

5 **20. (Previously Presented)** The method of Claim 19, wherein one of the selected configuration options is indicative of the subscriber's desire to receive a virtual computing service including access to and use of the virtual non-volatile storage during a subsequent communication session with the subscriber, the virtual non-volatile storage having storage capacity selected via the user interface and wherein the step of configuring comprises a step of allocating the virtual non-volatile storage to the subscriber for access and use by the subscriber.

10 **21. (Previously Presented)** The method of Claim 19, wherein one of the selected configuration options is indicative of the subscriber's desire to receive a virtual computing service including the use of an operating system selected via the user interface for execution by the server computer during a subsequent communication session with the subscriber, and wherein the step of configuring comprises a step of installing the operating system in the virtual non-volatile storage of the subscriber.

15 **22. (Previously Presented)** The method of Claim 19, wherein one of the selected configuration options is indicative of the subscriber's desire to receive a virtual computing service including the use of an application computer software program that is installable into the virtual non-volatile storage of the subscriber for execution by the server computer during a subsequent communication session with
20 the subscriber, and wherein the step of configuring comprises a step of installing

the application computer software program in the virtual non-volatile storage of the subscriber.

23. (Previously Presented) The method of Claim 18, wherein the step of enrolling comprises the steps of receiving selected configuration options from the subscriber via the subscriber device, wherein one of the selected configuration options is indicative of the subscriber's desire to receive a virtual computing service including automatic updating of an operating system selected via the user interface and stored in the virtual non-volatile storage of the subscriber with patches therefor, and wherein the method further comprises a step of automatically updating the operating system computer stored in the virtual non-volatile storage of the subscriber with patches therefor.

24. (Previously Presented) The method of Claim 18, wherein the step of enrolling comprises the steps of receiving selected configuration options from the subscriber via the subscriber device, wherein one of the selected configuration options is indicative of the subscriber's desire to receive a virtual computing service including a automatic updating of an operating system selected via the user interface and stored in the virtual non-volatile storage of the subscriber with new versions thereof, and wherein the method further comprises a step of automatically updating the operating system computer software program stored in the virtual non-volatile storage of the subscriber with new versions thereof.

5 **25. (Previously Presented)** The method of Claim 18, wherein the step of enrolling comprises the steps of receiving selected configuration options from the subscriber via the subscriber device, wherein one of the selected configuration options is indicative of the subscriber's desire to receive a virtual computing service including a automatic updating of an application computer software program stored in the virtual non-volatile storage of the subscriber with patches therefor, and wherein the method further comprises a step of automatically updating the application computer software program stored in the virtual non-volatile storage of the subscriber with patches therefor.

10 **26. (Previously Presented)** The method of Claim 18, wherein the step of enrolling comprises the steps of receiving selected configuration options from the subscriber via the subscriber device, wherein one of the selected configuration options is indicative of the subscriber's desire to receive a virtual computing service including a automatic updating of an application computer software program stored in the virtual non-volatile storage of the subscriber with new versions thereof, and wherein the method further comprises a step of automatically updating the application computer software program stored in the virtual non-volatile storage of the subscriber with new versions thereof.

20 **27. (Previously Presented)** The method of Claim 18, wherein the step of enrolling comprises the steps of receiving selected configuration options

from the subscriber via the subscriber device, wherein one of the selected configuration options is indicative of the subscriber's desire to receive a virtual computing service including a automatic nightly backup of the virtual non-volatile storage of the subscriber, and wherein the method further comprises a step of automatically backing up the virtual non-volatile storage of the subscriber on a nightly basis.

28. (Previously Presented) The method of Claim 18, wherein the step of enrolling comprises the steps of receiving selected configuration options from the subscriber via the subscriber device, wherein one of the selected configuration options is indicative of the subscriber's desire to receive a virtual computing service including a automatic weekly backup of the virtual non-volatile storage of the subscriber, and wherein the method further comprises a step of automatically backing up the virtual non-volatile storage of the subscriber on a weekly basis.

29. (Previously Presented) The method of Claim 18, wherein the step of enrolling comprises the steps of:

establishing a communication session with the subscriber device used by the subscriber;

causing the display of the selectable configuration options via the user interface at the subscriber device;

receiving selected configuration options selected by the subscriber from the subscriber device;

determining a cost to the subscriber associated with the provision of the virtual computing services associated with the selected configuration options;

5 receiving data indicative of the subscriber's agreement to pay the cost associated with the provision of the virtual computing services associated with the selected configuration options;

storing the selected configuration options; and,

terminating the communication session with the subscriber device.

10 **30. (Previously Presented)** The method of Claim 18, wherein the step of enabling access to and use of the virtual non-volatile storage comprises the steps of:

establishing a communication session with the subscriber device used by the subscriber for the communication session;

15 determining a preferred user interface for use by the subscriber device to interact with the virtual non-volatile storage, the preferred user interface having a plurality of user interface options selectable by the subscriber using the subscriber device and corresponding to respective performable tasks;

causing the display of the preferred user interface at the subscriber device;

20 receiving a user interface option selected from the displayed preferred user interface by the subscriber;

performing a task associated with the received user interface option; and
terminating the communication session with the subscriber device.

31. (Previously Presented) The method of Claim 30, wherein the
step of determining comprises the steps of:

5 collecting information from the subscriber device indicative of the
subscriber device type while establishing the communication session with the
subscriber device; and

 ascertaining a user interface most often used with the subscriber device
type.

10 **32. (Previously Presented)** The method of Claim 30, wherein the
step of determining comprises a step of receiving a selection of the preferred user
interface from the subscriber via the subscriber device during the communication
session indicative of the subscriber's desire to use the preferred user interface at
the subscriber device to interact with the virtual non-volatile storage.

15 **33. (Original)** The method of Claim 30, wherein the step of
performing comprises the steps of:

 determining whether the task associated with the received user interface
option corresponds to a data file upload task; and,

upon determining that the task associated with the received user interface option corresponds to a data file upload task, causing the uploading of a data file from the subscriber device to the virtual non-volatile storage of the subscriber.

5 **34. (Original)** The method of Claim 30, wherein the step of performing comprises the steps of:

determining whether the task associated with the received user interface option corresponds to a data file download task; and,

10 upon determining that the task associated with the received user interface option corresponds to a data file download task, causing the download of a data file from the virtual non-volatile storage of the subscriber to the subscriber device.

35. (Original) The method of Claim 30, wherein the step of performing comprises the steps of:

15 determining whether the task associated with the received user interface option corresponds to a request for execution of an application computer software program; and,

 upon determining that the task associated with the received user interface option corresponds to a request for execution of an application computer software program installed in the virtual non-volatile storage of the subscriber, causing the execution of the application computer software program.

36. (Currently Amended) A computer-readable medium having computer-executable instructions for providing subscription-based virtual computing services to a subscriber, the computer-executable instructions for performing steps comprising:

5 enrolling a subscriber for the provision of virtual computing services to said subscriber through a virtual non-volatile storage allocated uniquely to said subscriber and accessible to said subscriber via a server computer during a first communication session between said server computer and a subscriber device used by said subscriber, said virtual computing services corresponding to configuration
10 options selectable by said subscriber;

exposing a user interface having a plurality of portions selectable by the subscriber to specify the configuration options for the virtual computing services including a least:

15 a portion selectable to specify a storage capacity of the virtual non-volatile storage from at least two storage capacity options;

a portion selectable to specify an operating system from at least two operating system options, said server computer operable to install a selected operating system to the virtual non-volatile storage having the selected storage capacity to provide the virtual computing services;

20 a portion selectable to specify whether the server computer is to ~~automatically install available updates to~~ update the selected operating system when operating system updates become available; and

a portion selectable to specify when the server computer is to perform backups of the virtual non-volatile storage;

enabling access to and use of said virtual non-volatile storage ~~as desired by said subscriber~~ via said server computer during a subsequent communication session between said server computer and a subscriber device, wherein the server computer is configured to use information identifying a type of subscriber device to determine a user interface to be displayed on the subscriber device and used by the subscriber to access the virtual non-volatile storage ~~used by said subscriber for said subsequent communication session~~; and

charging said subscriber a subscription fee in an amount related to selected configuration options received from said subscriber.

37. (Original) The computer-readable medium of Claim 36, wherein the step of enrolling comprises a step of configuring said non-volatile storage with a computer software program stored therein in accordance with a configuration option selected by said subscriber, and wherein the step of enabling access to and use of said virtual non-volatile storage comprises a step of executing said computer software program in response to receipt of a direction to execute said computer software program from said subscriber during said subsequent communication session.

38. (Previously Presented) The computer-readable medium of Claim 36, wherein the step of enabling access to and use of said virtual non-volatile storage comprises the steps of:

establishing said subsequent communication session with said subscriber device used by said subscriber for said subsequent communication session;

determining another user interface for use by said subscriber device to interact with said virtual non-volatile storage, said other user interface having a plurality of user interface options selectable by said subscriber using said subscriber device and corresponding to respective performable tasks;

causing the display of said other user interface at said subscriber device;

receiving a user interface option selected from said other user interface by said subscriber;

performing a task associated with said received user interface option; and

terminating said subsequent communication session with said subscriber device.

39. (Previously Presented) The computer-readable medium of Claim 38, wherein the step of determining comprises the steps of:

collecting information from said subscriber device used by said subscriber during said subsequent communication session while establishing said subsequent communication session with said subscriber device, said information being indicative of the subscriber device type of said subscriber device; and,

ascertaining a user interface most often used with said subscriber device type.

40. (Previously Presented) The computer-readable medium of Claim 38, wherein the step of determining comprises a step of receiving a selection of said other user interface from said subscriber via said subscriber device used by said subscriber during said subsequent communication session, said selection being indicative of said subscriber's desire to use said other user interface at said subscriber device used by said subscriber during said subsequent communication session.

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

The Applicant thanks Examiner Shaw for conducting a telephonic interview with Applicant's attorney Jeffrey Valley on December 9, 2008.

During the interview, the claimed subject matter and the differences between the cited references and the claimed subject matter were discussed. Examiner Shaw agreed that the proposed claim amendments over came the rejection of Claims 1, 4-7, 9-15, and 17 under §103(a) as being unpatentable over Tremain, Bandhole, and Nanja, and the rejection of Claims 18-22, 29, and 36 under §103(a) as being unpatentable over Banka, Bandhole, Nanja, and Hui.

In the interest of expediting allowance of the subject application, and without conceding the propriety of the rejections, the claims have been amended to incorporate the changes discussed during the interview. Applicant submits that the claims are in condition for allowance.

Applicant thanks Examiner Shaw for her time.